

REMARKS

Claims 1-13 are pending in the application. Claims 1 and 8 are independent. Applicant has amended the claims. Applicant submits that no new matter is added by any of these amendments. Each amendment is supported by the specification as originally filed, drawings as originally filed and claims as originally filed.

Applicant would like to thank the Examiner for taking the time from his busy schedule on August 29, 2007, to discuss telephonically the office action dated June 14, 2007, and for coming to an agreement on the application.

Claims 1, 3-5 and 8-10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,373,582 to Dragone, et al. ("Dragone"). Claims 2, 6-7, and 13 have been rejected under 35 U.S.C. § 103(a) as being obvious in view of Dragone.

As discussed with and agreed to by the Examiner, Dragone does not disclose or teach a "suspension tab" at the right and left front shoulder regions of the front ballistic panel which enable the "shoulder straps [to be] removably attached" as claimed in claim 1, or "at least one suspension tab directly attached to each of the front left shoulder area and front right shoulder area of the front ballistic panel" and "a shoulder strap" "removably attached to the at least one suspension tab" as claimed in claim 8. These suspension tabs are most clearly shown as 14A in FIGs. 5-6:

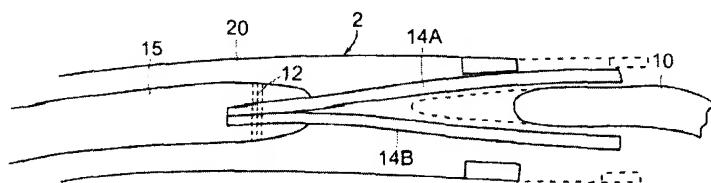


FIG. 6

As can be seen, the shoulder strap 10 is removably attached to the suspension tabs 14A, 14B within the outershell 20.

Conversely, Dragone discloses that the front shoulder strap 15 and rear shoulder strap 68 are directly and permanently attached to the ballistic panels, requiring the shoulder straps from both the front ballistic panel and rear ballistic panel to overlap outside the front outer shell 35 and back outer shell 49 (col. 5, lines 1-18 and 33-42):

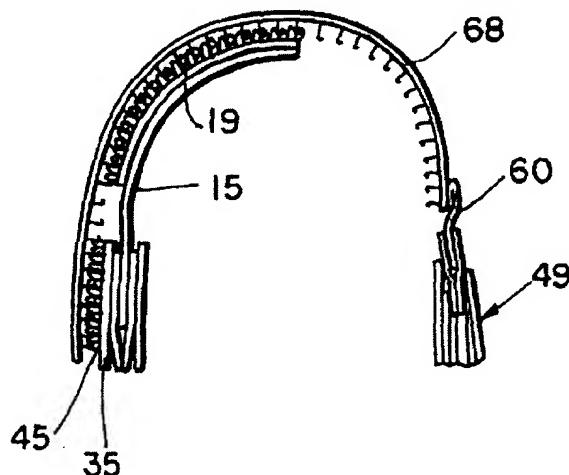


FIG.8

Unlike Dragone, the shoulder straps of the present invention are “adjustabl[e] within the outershell shoulder area” and require only one shoulder strap per shoulder.

Dragone also does not disclose or teach a “stabilizer loop” as claimed in claim 1, as Applicant’s Attorney stated during the August 29, 2007, interview. Pursuant to the Examiner’s suggestion, Applicant has amended claim 1 to modify “stabilizer tab” to “stabilizer loop.”

Applicant submits that all the claims are now in condition for allowance, which action is requested.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection issue or comment. In addition, because the arguments made above

may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claims does not necessarily signify concession of unpatentability of the claim prior to its amendment.

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

No fee is due at this time. However, Applicants also conditionally petition for any necessary additional extensions of time to provide for the possibility that the need for such extensions has been inadvertently overlooked. Please charge our Deposit Account No. 50-2324 for any necessary additional extensions of time or any additional fee(s).

Respectfully submitted,

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